

ESTTA Tracking number: **ESTTA573396**Filing date: **11/26/2013**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Buccellati Holding Italia S.P.A.		
Entity	Corporation	Citizenship	Italy
Address	Via Lodovico Mancini, 1 Milan, 20129 ITALY		

Attorney information	Perla M. Kuhn Edwards Wildman Palmer LLP FDR Station, P.O. Box 130 New York, NY 10150 UNITED STATES Trademark@edwardswildman.com,PKuhn@edwardswildman.com,STenney@edwardswildman.com,DEGorman@edwardswildman.com Phone:(212) 912-2708
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Registration Subject to Cancellation

Registration No	4273847	Registration date	01/15/2013
International Registration No.	NONE	International Registration Date	NONE
Registrant	DEL VALLINO S.p.A. Via della Spiga, 2 ITX ITX		

Goods/Services Subject to Cancellation

Class 043. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Hotels, motels; reservation services for hotels and motels for others; rental of temporary accommodation; tourist homes; restaurant and bar services; food and drink catering

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)
Other	Lack of Bona Fide Intent to Use in Commerce

Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	841635	Application Date	12/29/1966
Registration Date	01/02/1968	Foreign Priority	NONE

		Date	
Word Mark	BUCCELLATI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U028 (International Class 008, 014). First use: First Use: 1952/12/13 First Use In Commerce: 1952/12/13 JEWELRY, FLATWARE, HOLLOW WARE, AND OBJETS D'ART-NAMELY, [ORNAMENTAL CASES,] BOXES, AND OTHER CONTAINERS, RELIGIOUS PIECES, CENTER PIECES, VASES, AND OTHER ARTISTIC RECEPTACLES, CANDLESTICKS, CANDELABRA, [DRESSER SETS,]DESK SETS, AND STATUARY, ALL MADE OF PRECIOUS METALS		

U.S. Registration No.	865932	Application Date	12/29/1966
Registration Date	03/04/1969	Foreign Priority Date	NONE
Word Mark	BUCCELLATI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1952/00/00 First Use In Commerce: 1958/00/00 RETAIL JEWELRY STORE SERVICES		

U.S. Registration No.	2156171	Application Date	09/12/1996
Registration Date	05/12/1998	Foreign Priority Date	NONE
Word Mark	BUCCELLATI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1952/00/00 First Use In Commerce: 1952/00/00 writing instruments made of precious metals; time pieces, namely, clocks, wristwatches and pocket watches made of precious metals; lorgnettes made of precious metals		

Attachments	Buccellati Petition.pdf(1194496 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Perla M. Kuhn/
Name	Perla M. Kuhn
Date	11/26/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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Buccellati Holding Italia S.P.A.,	:	Cancellation No.:
	:	
Petitioner,	:	Registration No. 4,273,847
	:	
-v-	:	Registered on January 15, 2013
	:	
Del Vallino S.P.A.,	:	Trademark: BUCCELLATI
	:	
Respondent.	:	
	:	
	:	

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PETITION TO CANCEL

Buccellati Holding Italia S.P.A., a corporation organized and existing under the laws of Italy, having a business address of Via Lodovico Mancini, 1, Milan 20129, Italy (“Petitioner”), believes that it is being damaged by Registration No. 4,273,847 for the mark BUCCELLATI and hereby petitions to cancel the registration of said mark. In support thereof Petitioner states as follows:

Petitioner and Its Marks

1. Petitioner is the owner of all right, title and interest in and to, *inter alia*, the following federally registered trademarks and service marks for BUCCELLATI (collectively, the “Buccellati Trademarks”):

<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods / Services</u>	<u>First Use</u>
841,635	Jan. 2, 1968	Jewelry, flatware, hollow ware, and objets d’art-namely, boxes, and other containers, religious pieces, center pieces, vases, and other artistic	Dec. 13, 1952

		receptacles, candlesticks, candelabra, desk sets, and statuary, all made of precious metals	
865,932	Mar. 4, 1969	Retail jewelry store services	1958
2,156,171	May 12, 1998	Writing instruments made of precious metals; time pieces, namely, clocks, wristwatches and pocket watches made of precious metals; lorgnettes made of precious metals	1952

All of the registrations set forth above are valid, subsisting, and in full force and effect.

Moreover, all of the registrations are incontestable pursuant to 15 U.S.C. § 1065, and have become distinctive of Petitioner's products and services in commerce pursuant to 15 U.S.C. §1052. Attached hereto as Exhibit A are true and correct copies of the U.S. Patent and Trademark Office registration certificates as well as current printouts of the status and title of each registration pursuant to the provisions of 37 C.F.R. §2.122(d).

2. Since the 1700's, the Buccellati family has been crafting some of the finest jewelry in the world. Today the BUCCELLATI brand is synonymous with luxury, quality, and craftsmanship, and consumers and the trade instantly identify Petitioner as the source of all products and services bearing the BUCCELLATI name and trademark.

3. Petitioner has extensively advertised and promoted the products manufactured and services offered under the Buccellati Trademarks. Millions of consumers have been exposed to the Buccellati Trademarks through extensive advertising campaigns, in mainstream and industry magazines and other periodicals, as depicted in motion pictures, on the Internet, and in other forms of unsolicited media coverage.

4. Further, over many years, Petitioner has realized enormous and ever-increasing success in its sales of products bearing the Buccellati Trademarks, and for the last five years has had tens of millions of dollars in sales in the United States alone.

5. As a result of Petitioner's long use, extensive advertising and promotion and extraordinary sales of BUCCELLATI goods and services, Petitioner's Buccellati Trademarks have become famous and the public has come to identify the BUCCELLATI marks as originating with Buccellati.

Respondent and Its Mark

6. Upon information and belief, the name of the current owner of the registration is Del Vallino S.P.A., an Italy joint stock company with an address of Via della Spiga, 2, I-20121 Milano, Italy ("Respondent").

7. Respondent is the record owner of the following U.S. Trademark Registration for the mark BUCCELLATI:

<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods and Services</u>
4,273,847	Jan. 15, 2013	Hotels, motels; reservation services for hotels and motels; rental of temporary accommodation; tourist homes; restaurant and bar services; food and drink catering in Class 43

Count I: Likelihood of Confusion

8. Petitioner hereby incorporates by reference the averments in the preceding paragraphs.

9. Respondent's BUCCELLATI mark is identical in appearance and commercial impression to Petitioner's BUCCELLATI marks.

10. The services listed in Registration No. 4,273,847 are closely related to the goods and services of Petitioner.

11. Petitioner's goods travel in the same channels of commerce as Respondent's services.

12. Respondent has adopted the BUCCELLATI mark despite the fact that it knew that Petitioner's famous BUCCELLATI marks were used on closely related goods and services.

13. On information and belief, Petitioner is the prior user of the BUCCELLATI mark.

14. In light of the foregoing, Respondent's BUCCELLATI trademark for the services recited in the registration sought to be cancelled is confusingly similar to Petitioner's BUCCELLATI marks and is likely to cause confusion or mistake, and to deceive the public into believing that Registrant's services originate or are in some manner sponsored, licensed, associated or otherwise authorized by Petitioner in violation of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d).

Count II: Dilution

15. Petitioner hereby incorporates by reference the averments in the preceding paragraphs.

16. Petitioner is the owner of the famous BUCCELLATI marks, which became famous prior to the filing date of Respondent's subject registration.

17. Petitioner is damaged and will continue to be damaged because Respondent's continued use and registration of the BUCCELLATI mark blurs the distinctive quality of Petitioner's BUCCELLATI marks in violation of Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

Count III: Lack of Bona Fide Intent to Use in Commerce

18. Petitioner hereby incorporates by reference the averments in the preceding paragraphs.

19. Respondent sought registration of its mark through a request for an extension of protection under Section 66(a) of the Lanham Act, 15 U.S.C. §1141f(a). Respondent declared in

its request for an extension of protection that it possessed a bona fide intent to use the mark BUCCELLATI in U.S. commerce.

20. Upon information and belief, Respondent did not have a bona fide intent to use BUCCELLATI in U.S. commerce for “Hotels, motels; reservation services for hotels and motels; rental of temporary accommodation; tourist homes; restaurant and bar services; food and drink catering” at the time it filed the request for an extension of protection. Thus, the registration is subject to cancellation in connection with the identified services.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that Registration No. 4,273,847 be cancelled as it relates to the services for which it is registered.

The filing fee of \$300 for this Petition to Cancel is being submitted electronically with this Petition.

Petitioner hereby appoints Perla M. Kuhn, of the law firm of Edwards Wildman Palmer LLP, member of the New York bar, as its attorney with full power of substitution and revocation, to prosecute this cancellation proceeding, and to transact all business in the U.S. Patent and Trademark Office in connection herewith.

BUCCELLATI HOLDING ITALIA S.P.A.

By Its Attorneys:

Dated: November 26, 2013

By: /Perla M. Kuhn/
 Perla M. Kuhn
 H. Straat Tenney
 Edwards Wildman Palmer LLP
 FDR Station, P.O. Box 130
 New York, NY 10150
 Phone: (212) 912-2708
 Fax: (212) 308-4844

CERTIFICATE OF SERVICE

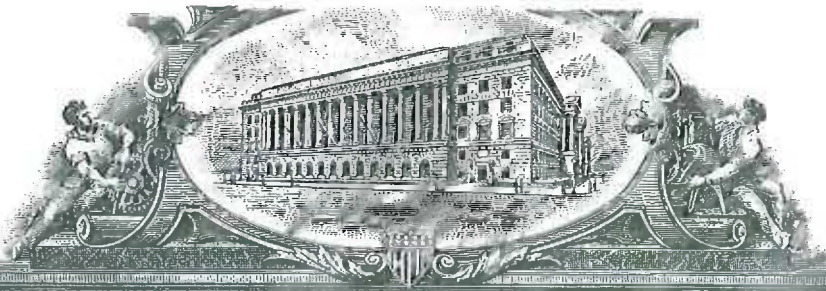
I hereby certify that a copy of the foregoing PETITION FOR CANCELLATION is being sent via Federal Express this 26th day of November, 2013 in an envelope addressed to the Owner of Record:

Del Vallino S.P.A.
Via della Spiga, 2
I-20121 Milano
Italy

Dated: November 26, 2013
New York, NY

/Varant A. Ekmekjian/
Varant A. Ekmekjian

EXHIBIT A



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

October 06, 2011

THE ATTACHED U.S. TRADEMARK REGISTRATION 841,635 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *January 02, 1968*
2nd RENEWAL FOR A TERM OF 10 YEARS FROM *January 02, 2008*
SECTION 8 & 15

LESS GOODS

SAID RECORDS SHOW TITLE TO BE IN:

BUCCELLATI HOLDING ITALIA S.P.A.
AN ITALY CORPORATION

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



P. R. Grant
P. R. GRANT
Certifying Officer

TRADEMARK
PRINCIPAL REGISTER

BUCCELLATI

BUCCELLATI, INC. (NEW YORK CORPORATION)
46 E. 57TH ST.
NEW YORK, NY 10022, BY CHANGE OF
NAME FROM MARIO BUCCELLATI
INC. (NEW YORK CORPORATION)
NEW YORK, NY

SEC. 2(F).

FOR: JEWELRY, FLATWARE,
HOLLOW WARE, AND OBJECTS
D'ART—NAMELY, ~~ORNAMENTAL~~

~~CASES~~, BOXES, AND OTHER CONTAINERS,
RELIGIOUS PIECES,
CENTER PIECES, VASES, AND OTHER
ARTISTIC RECEPTACLES, CANDLE-
STICKS, CANDELABRA, ~~DRESSER~~
~~SETS~~, DESK SETS, AND STATUARY,
ALL MADE OF PRECIOUS METALS, IN
CLASS 28 (INT. CL. 14).

FIRST USE 12-13-1952; IN COMMERCE
12-13-1952.

SER. NO. 261,614, FILED 12-29-1966.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Aug. 2, 1988.*

COMMISSIONER OF PATENTS AND TRADEMARKS

United States Patent Office

841,635
Registered Jan. 2, 1968

PRINCIPAL REGISTER Trademark

Ser. No. 261,614, filed Dec. 29, 1966

BUCCELLATI

Mario Buccellati Inc. (New York corporation)
703 5th Ave.
New York, N.Y. 10022

For: JEWELRY, FLATWARE, HOLLOW WARE,
AND OBJETS D'ART—NAMELY, ~~ORNAMENTAL~~
~~CASES~~, BOXES, AND OTHER CONTAINERS, RE-
LIGIOUS PIECES, CENTER PIECES, VASES, AND

OTHER ARTISTIC RECEPTACLES, CANDLE-
STICKS, CANDELABRA, ~~DRESSER SETS~~, DESK
SETS, AND STATUARY, ALL MADE OF PRECIOUS
METALS—in CLASS 28.

First use Dec. 13, 1952; in commerce Dec. 13, 1952.

M. H. MARKS, *Examiner*.

1858270

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 06, 2011

THE ATTACHED U.S. TRADEMARK REGISTRATION 865,932 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *March 04, 1969*
2nd RENEWAL FOR A TERM OF 10 YEARS FROM *March 04, 2009*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

BUCCELLATI HOLDING ITALIA S.P.A.
AN ITALY CORPORATION

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office


P. R. GRANT
Certifying Officer



Prior U.S. Cl.: 101

United States Patent and Trademark Office

Renewal

Reg. No. 865,932

Registered Mar. 4, 1969

OG Date June 6, 1989

**SERVICE MARK
PRINCIPAL REGISTER**

BUCCELLATI

BUCCELLATI, INC. (NEW YORK CORPORATION)
46 EAST 57TH STREET
NEW YORK, NY 10022, BY CHANGE OF
NAME FROM MARIO BUCCELLATI
INC. (NEW YORK CORPORATION)
NEW YORK, NY

FOR: RETAIL JEWELRY STORE
SERVICES, IN CLASS 101 (INT. CL. 35).

FIRST USE 0-0-1952; IN COMMERCE
0-0-1958.

SER. NO. 261,610, FILED 12-29-1966.

*In testimony whereof, I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on June 6, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS

United States Patent Office

865,932
Registered Mar. 4, 1969

PRINCIPAL REGISTER Service Mark

Ser. No. 261,610, filed Dec. 29, 1966

BUCCELLATI

Mario Buccellati Inc. (New York corporation)
703 5th Ave.
New York, N.Y. 10022

For: RETAIL JEWELRY STORE SERVICES, in
CLASS 101 (INT. CL. 35).
First use during 1952; in commerce during 1958.

M. H. MARKS, *Examiner.*

1858270

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 06, 2011

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,156,171 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *May 12, 1998*

1st RENEWAL FOR A TERM OF 10 YEARS FROM *May 12, 2008*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

BUCCELLATI HOLDING ITALIA S.P.A.

AN ITALY CORPORATION

By Authority of the

Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



P. R. Grant

P. R. GRANT

Certifying Officer

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

Reg. No. 2,156,171

United States Patent and Trademark Office

Registered May 12, 1998

**TRADEMARK
PRINCIPAL REGISTER**

BUCCELLATI

BUCCELLATI HOLDING AMERICA, INC.
(NEW YORK CORPORATION)
46 EAST 57TH STREET
NEW YORK, NY 10022

FOR: WRITING INSTRUMENTS MADE OF
PRECIOUS METALS; TIME PIECES, NAMELY,
CLOCKS, WRISTWATCHES AND POCKET
WATCHES MADE OF PRECIOUS METALS;

LORGNETTES MADE OF PRECIOUS METALS,
IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 0-0-1952; IN COMMERCE
0-0-1952.

OWNER OF U.S. REG. NOS. 838,777, 865,932
AND OTHERS.

SER. NO. 75-164,587, FILED 9-12-1996.

ANIL V. GEORGE, EXAMINING ATTORNEY

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Mark: BUCCELLATI

US Serial Number: 72261614

Application Filing Date: Dec. 29, 1966

US Registration Number: 841635

Registration Date: Jan. 02, 1968

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jul. 30, 2008

Publication Date: Oct. 17, 1967

Mark Information

Mark Literal Elements: BUCCELLATI

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Acquired Distinctiveness Claim: In whole

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: JEWELRY, FLATWARE, HOLLOW WARE, AND OBJETS D'ART-NAMELY,[ORNAMENTAL CASES,] BOXES, AND OTHER CONTAINERS, RELIGIOUS PIECES, CENTER PIECES, VASES, AND OTHER ARTISTIC RECEPTACLES, CANDLESTICKS, CANDELABRA, [DRESSER SETS,]DESK SETS, AND STATUARY, ALL MADE OF PRECIOUS METALS

International Class(es): 008, 014

U.S Class(es): 028 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 13, 1952

Use in Commerce: Dec. 13, 1952

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: BUCCELLATI HOLDING ITALIA S.P.A.

Owner Address: VIA LODOVICO MANCINI, 1
MILAN 20129
ITALY

Legal Entity Type: CORPORATION

State or Country Where Organized: ITALY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Perla M. Kuhn **Docket Number:** 79551.2800 P
Attorney Primary Email Address: kuhn@hugheshubbard.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: PERLA M. KUHN
 Edwards Angell Palmer & Dodge LLP
 F.D.R. Station
 P.O. Box 130
 New York, NEW YORK 10150
 UNITED STATES

Phone: 212-308-4411 **Fax:** 212-308-4844
Correspondent e-mail: trademark@eapdlaw.com **Correspondent e-mail Authorized:** Yes

Domestic Representative

Domestic Representative Name: Perla M. Kuhn **Phone:** (212) 837-6550
Fax: (212) 837-6269
Domestic Representative e-mail: kuhn@hugheshubbard.com **Domestic Representative e-mail Authorized:** Yes

Prosecution History

Date	Description	Proceeding Number
Apr. 18, 2013	NOTICE OF SUIT	
Apr. 15, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 05, 2009	CASE FILE IN TICRS	
Jul. 30, 2008	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
Jul. 30, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 15, 2008	ASSIGNED TO PARALEGAL	70132
Jul. 02, 2008	TEAS SECTION 8 & 9 RECEIVED	
Oct. 25, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 25, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 27, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 20, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 14, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 14, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 02, 1988	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Dec. 04, 1987	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jan. 02, 2008

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 05, 2009

Assignment Abstract Of Title Information

Summary	
Total Assignments: 5	Registrant: MARIO BUCCELLATI INC.
Assignment 1 of 5	
Conveyance: CHANGE OF NAME 19720320	
Reel/Frame: 0219/0244	Pages: 5
Date Recorded: Apr. 07, 1972	
Supporting Documents: No Supporting Documents Available	
Assignor	
Name: BUCCELLATI, MARIO, INC.	Execution Date: Mar. 20, 1972
Legal Entity Type: UNKNOWN	State or Country Where Organized: No Place Where Organized Found
Assignee	
Name: BUCCELLATI, INC.	
Legal Entity Type: UNKNOWN	State or Country Where Organized: No Place Where Organized Found
Address: No Assignee Address Found	
Correspondent	
Correspondent Name: KANE, DALSIMER, ET AL.	
Correspondent Address: 420 LEXINGTON AVE. NEW YORK, NY 10017	
Domestic Representative - Not Found	
Assignment 2 of 5	
Conveyance: CHANGE OF NAME EFFECTIVE 2/03/94 (SEE RECORD FOR DETAILS.)	
Reel/Frame: 1302/0419	Pages: 5
Date Recorded: Feb. 10, 1995	
Supporting Documents: No Supporting Documents Available	
Assignor	
Name: BUCCELLATI, INC.	Execution Date: Jan. 28, 1994
Legal Entity Type: CORPORATION	State or Country Where Organized: NEW YORK
Assignee	
Name: BUCCELLATI HOLDINGS AMERICA, INC.	
Legal Entity Type: CORPORATION	State or Country Where Organized: NEW YORK
Address: 46 EAST 57TH STREET NEW YORK, NY 10022	
Correspondent	
Correspondent Name: WILLIAM E. MARAMES	
Correspondent Address: KANE, DALSIMER, SULLIVAN ET AL. 711 THIRD AVENUE NEW YORK, NY 10017	
Domestic Representative - Not Found	
Assignment 3 of 5	
Conveyance: RECORD TO CORRECT ASSIGNEE'S NAME PREVIOUSLY RECORDED AT REEL 1302 FRAME 419. (SEE DOCUMENT FOR DETAILS)	
Reel/Frame: 1356/0349	Pages: 6
Date Recorded: May 26, 1995	
Supporting Documents: No Supporting Documents Available	
Assignor	
Name: BUCCELLATI, INC.	Execution Date: Jan. 28, 1994
Legal Entity Type: CORPORATION	State or Country Where Organized: NEW YORK
Assignee	
Name: BUCCELLATI HOLDING AMERICA, INC.	
Legal Entity Type: CORPORATION	State or Country Where Organized: NEW YORK
Address: 46 EAST 57TH STREET NEW YORK, NEW YORK 10022	
Correspondent	

Correspondent Name: WILLIAM E. MARAMES

Correspondent Address: KANE, DALSIMER, SULLIVAN, KURUCZ,
LEVY, EISELE & RICHARD
711 THIRD AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: MERGER

Reel/Frame: [3568/0017](#)

Pages: 7

Date Recorded: Jun. 21, 2007

Supporting Documents: [assignment-tm-3568-0017.pdf](#)

Assignor

Name: [BUCCELLATI HOLDING AMERICA, INC.](#)

Execution Date: Dec. 27, 2006

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** NEW YORK

Assignee

Name: [BUCCELLATI, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** NEW YORK

Address: 333 SOUTH HIGHLAND AVE.
BRIARCLIFF MANOR, NEW YORK 10510

Correspondent

Correspondent Name: GISELLA LEVI CAROTI

Correspondent Address: 40 WALL STREET
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3560/0729](#)

Pages: 4

Date Recorded: Jun. 14, 2007

Supporting Documents: [assignment-tm-3560-0729.pdf](#)

Assignor

Name: [BUCCELLATI, INC.](#)

Execution Date: Dec. 31, 2006

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** NEW YORK

Assignee

Name: [BUCCELLATI HOLDING ITALIA S.P.A.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ITALY

Address: VIA LODOVICO MANCINI, 1
MILAN, ITALY 20129

Correspondent

Correspondent Name: GISELLA LEVI CAROTI

Correspondent Address: 40 WALL STREET
NEW YORK, NY 10005

Domestic Representative

**Domestic Representative
Name:** GISELLA LEVI CAROTI

**Domestic Representative
Address:** 40 WALL STREET
NEW YORK, NY 10005

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Mark: BUCCELLATI

US Serial Number: 72261610	Application Filing Date: Dec. 29, 1966
US Registration Number: 865932	Registration Date: Mar. 04, 1969
Register: Principal	
Mark Type: Service Mark	
Status: The registration has been renewed.	
Status Date: Sep. 25, 2009	

Mark Information

Mark Literal Elements: BUCCELLATI
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: RETAIL JEWELRY STORE SERVICES	
International Class(es): 035	U.S Class(es): 101 - Primary Class
Class Status: ACTIVE	
Basis: 1(a)	
First Use: 1952	Use in Commerce: 1958

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BUCCELLATI HOLDING ITALIA S.P.A.	
Owner Address: VIA LODOVICO MANCINI, 1 MILAN 20129 ITALY	
Legal Entity Type: CORPORATION	State or Country Where Organized: ITALY

Attorney/Correspondence Information

Attorney of Record	
Attorney Name: Perla M. Kuhn	Docket Number: 79551.1027 P
Attorney Primary Email Address: kuhn@hugheshubbard.com	Attorney Email Authorized: Yes

Correspondent	
Correspondent Name/Address: PERLA M. KUHN Edwards Angell Palmer & Dodge LLP F.D.R. Station P.O. Box 130 New York, NEW YORK 10150 UNITED STATES	Phone: 212-308-4411 Fax: 212-308-4844 Correspondent e-mail: trademark@eapdlaw.com Correspondent e-mail Authorized: Yes
Domestic Representative	
Domestic Representative Name: Perla M. Kuhn Fax: (212) 837-6269 Domestic Representative e-mail: kuhn@hugheshubbard.com	Phone: (212) 837-6550 Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Apr. 18, 2013	NOTICE OF SUIT	
Apr. 15, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 25, 2009	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	65765
Sep. 25, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 10, 2009	ASSIGNED TO PARALEGAL	65765
Sep. 02, 2009	TEAS SECTION 8 & 9 RECEIVED	
Nov. 19, 2008	CASE FILE IN TICRS	
Oct. 25, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 25, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 27, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 20, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 14, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 14, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 04, 1989	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Mar. 01, 1989	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Mar. 04, 2009

TM Staff and Location Information

TM Staff Information - None	
File Location	
Current Location: Not Found	Date in Location: Sep. 25, 2009

Assignment Abstract Of Title Information

Summary	
Total Assignments: 5	Registrant: MARIO BUCCELLATI INC.
Assignment 1 of 5	

Conveyance: CHANGE OF NAME 19720320

Reel/Frame: [0219/0244](#)

Pages: 5

Date Recorded: Apr. 07, 1972

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BUCCELLATI, MARIO, INC.](#)

Execution Date: Mar. 20, 1972

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BUCCELLATI, INC.](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: No Assignee Address Found

Correspondent

Correspondent Name: KANE, DALSIMER, ET AL.

Correspondent Address: 420 LEXINGTON AVE.
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME EFFECTIVE 2/03/94 (SEE RECORD FOR DETAILS.)

Reel/Frame: [1302/0419](#)

Pages: 5

Date Recorded: Feb. 10, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BUCCELLATI, INC.](#)

Execution Date: Jan. 28, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [BUCCELLATI HOLDINGS AMERICA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 46 EAST 57TH STREET
NEW YORK, NY 10022

Correspondent

Correspondent Name: WILLIAM E. MARAMES

Correspondent Address: KANE, DALSIMER, SULLIVAN ET AL.
711 THIRD AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: RECORD TO CORRECT ASSIGNEE'S NAME PREVIOUSLY RECORDED AT REEL 1302 FRAME 419. (SEE DOCUMENT FOR DETAILS)

Reel/Frame: [1356/0349](#)

Pages: 6

Date Recorded: May 26, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BUCCELLATI, INC.](#)

Execution Date: Jan. 28, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [BUCCELLATI HOLDING AMERICA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 46 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WILLIAM E. MARAMES

Correspondent Address: KANE, DALSIMER, SULLIVAN, KURUCZ,
LEVY, EISELE & RICHARD
711 THIRD AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found		
Assignment 4 of 5		
Conveyance:	MERGER	
Reel/Frame:	3568/0017	Pages: 7
Date Recorded:	Jun. 21, 2007	
Supporting Documents:	assignment-tm-3568-0017.pdf	
Assignor		
Name:	BUCELLATI HOLDING AMERICA, INC.	Execution Date: Dec. 27, 2006
Legal Entity Type:	CORPORATION	State or Country Where Organized: NEW YORK
Assignee		
Name:	BUCELLATI, INC.	
Legal Entity Type:	CORPORATION	State or Country Where Organized: NEW YORK
Address:	333 SOUTH HIGHLAND AVE. BRIARCLIFF MANOR, NEW YORK 10510	
Correspondent		
Correspondent Name:	GISELLA LEVI CAROTI	
Correspondent Address:	40 WALL STREET NEW YORK, NY 10005	
Domestic Representative - Not Found		
Assignment 5 of 5		
Conveyance:	ASSIGNS THE ENTIRE INTEREST	
Reel/Frame:	3560/0729	Pages: 4
Date Recorded:	Jun. 14, 2007	
Supporting Documents:	assignment-tm-3560-0729.pdf	
Assignor		
Name:	BUCELLATI, INC.	Execution Date: Dec. 31, 2006
Legal Entity Type:	CORPORATION	State or Country Where Organized: NEW YORK
Assignee		
Name:	BUCELLATI HOLDING ITALIA S.P.A.	
Legal Entity Type:	CORPORATION	State or Country Where Organized: ITALY
Address:	VIA LODOVICO MANCINI, 1 MILAN, ITALY 20129	
Correspondent		
Correspondent Name:	GISELLA LEVI CAROTI	
Correspondent Address:	40 WALL STREET NEW YORK, NY 10005	
Domestic Representative		
Domestic Representative Name:	GISELLA LEVI CAROTI	
Domestic Representative Address:	40 WALL STREET NEW YORK, NY 10005	
Proceedings		
Summary		
Number of Proceedings:	1	
Type of Proceeding: Opposition		
Proceeding Number:	91074978	Filing Date: Oct 22, 1986
Status:	Terminated	Status Date: Jul 08, 1987
Interlocutory Attorney:	GEORGE D HOHEIN	
Defendant		
Name:	DIFFUSIONE B S.R.L.	
Correspondent Address:	BERNARD, ROTHWELL & BROWN, P.C. 1700 K STREET, N.W. WASHINGTON DC , 20006 UNITED STATES	
Associated marks		

Mark	Application Status	Serial Number	Registration Number
FEDERICO BUCCELLATI	Abandoned - After Inter-Partes Decision	73565893	
FEDERICO BUCCELLATI	Abandoned - After Inter-Partes Decision	73565913	
FEDERICO BUCCELLATI	Abandoned - After Inter-Partes Decision	73565936	

Plaintiff(s)

Name: BUCCELLATI, INC.

Correspondent Address: KANE, DALSIMER, KANE, SULLIVAN &
KURUCZ
ATT: SIEGRUN D. KANE 420 LEXINGTON AVENUE
NEW YORK , N.Y. NY , 10170
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
BUCCELLATI	Renewed	72261610	865932

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 22, 1986	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Dec 15, 1986	Jan 26, 1987
3	PENDING, INSTITUTED	Dec 15, 1986	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 20, 1987	
5	ANSWER DUE (DUE DATE)	Feb 05, 1987	Feb 24, 1987
6	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 26, 1987	
7	ANSWER DUE (DUE DATE)	Mar 25, 1987	Mar 24, 1987
8	NOTICE OF DEFAULT	May 05, 1987	
9	BOARD'S DECISION: SUSTAINED	Jun 26, 1987	
10	TERMINATED	Jul 08, 1987	

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Mark: BUCCELLATI

US Serial Number: 75164587
US Registration Number: 2156171
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 07, 2008
Publication Date: Feb. 17, 1998

Application Filing Date: Sep. 12, 1996
Registration Date: May 12, 1998

Mark Information

Mark Literal Elements: BUCCELLATI
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 0838777, 0841635, 0865932 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: writing instruments made of precious metals; time pieces, namely, clocks, wristwatches and pocket watches made of precious metals; lorgnettes made of precious metals

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1952

Use in Commerce: 1952

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BUCCELLATI HOLDING ITALIA S.P.A.
Owner Address: VIA LODOVICO MANCINI, 1
MILAN 20129
ITALY
Legal Entity Type: CORPORATION

State or Country Where Organized: ITALY

Attorney/Correspondence Information

Attorney of Record	
Attorney Name: Perla M. Kuhn Attorney Primary Email Address: kuhn@hugheshubbard.com	Docket Number: 79551.1027C Attorney Email Authorized: Yes
Correspondent	
Correspondent Name/Address: PERLA M. KUHN Edwards Angell Palmer & Dodge LLP F.D.R. Station P.O. Box 130 New York, NEW YORK 10150 UNITED STATES	
Phone: 212-308-4411 Correspondent e-mail: trademark@eapdlaw.com	Fax: 212-308-4844 Correspondent e-mail Authorized: Yes
Domestic Representative	
Domestic Representative Name: Perla M. Kuhn Fax: (212) 837-6269	
Domestic Representative e-mail: kuhn@hugheshubbard.com	Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Apr. 18, 2013	NOTICE OF SUIT	
Apr. 15, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 07, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Nov. 07, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 03, 2008	ASSIGNED TO PARALEGAL	73376
Sep. 30, 2008	TEAS SECTION 8 & 9 RECEIVED	
Oct. 25, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 25, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 15, 2007	CASE FILE IN TICRS	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 20, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 14, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 14, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 25, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 17, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 28, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 25, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 25, 2003	PAPER RECEIVED	
May 12, 1998	REGISTERED-PRINCIPAL REGISTER	
Feb. 17, 1998	PUBLISHED FOR OPPOSITION	
Feb. 17, 1998	PUBLISHED FOR OPPOSITION	
Jan. 16, 1998	NOTICE OF PUBLICATION	
Dec. 03, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 02, 1997	ASSIGNED TO EXAMINER	72148
Nov. 21, 1997	EXAMINER'S AMENDMENT MAILED	
Aug. 18, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Feb. 25, 1997 NON-FINAL ACTION MAILED

Feb. 11, 1997 ASSIGNED TO EXAMINER

72148

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 12, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 07, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Buccellati Holding America, Inc.

Assignment 1 of 2

Conveyance: MERGER EFFECTIVE 12312006

Reel/Frame: [3528/0064](#)

Pages: 9

Date Recorded: Apr. 24, 2007

Supporting Documents: [assignment-tm-3528-0064.pdf](#)

Assignor

Name: [BUCCELLATI HOLDING AMERICA, INC.](#)

Execution Date: Dec. 27, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [BUCCELLATI, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 750 MADISON AVENUE
NEW YORK, NEW YORK 10021

Correspondent

Correspondent Name: GISELLA LEVI CAROTI

Correspondent Address: 40 WALL STREET
HERZFELD & RUBIN, PC
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3560/0729](#)

Pages: 4

Date Recorded: Jun. 14, 2007

Supporting Documents: [assignment-tm-3560-0729.pdf](#)

Assignor

Name: [BUCCELLATI, INC.](#)

Execution Date: Dec. 31, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [BUCCELLATI HOLDING ITALIA S.P.A.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ITALY

Address: VIA LODOVICO MANCINI, 1
MILAN, ITALY 20129

Correspondent

Correspondent Name: GISELLA LEVI CAROTI

Correspondent Address: 40 WALL STREET
NEW YORK, NY 10005

Domestic Representative

Domestic Representative GISELLA LEVI CAROTI
Name:
Domestic Representative 40 WALL STREET
Address: NEW YORK, NY 10005